UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/848,292	05/04/2001	Takashi Miyasaki	35.C15340	9605

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FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER
COFFY, EMMANUEL

ART UNIT	PAPER NUMBER
2157	

DATE MAILED: 11/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/848,292	MIYASAKI ET AL.
	Examiner	Art Unit	
	Emmanuel Coffy	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *12 September 2005*.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-4 and 6-14* is/are pending in the application.

    4a) Of the above claim(s) *5* is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☐ Claim(s) _____ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

Response to Amendment

1.   This action is responsive to the amendment filed on September 12, 2005. Claims

1-14 are pending. Claims 1 and 7 to 14 have been amended and claim 5 is cancelled.

Response to Arguments

2.   On page 8 of the remarks applicant argued that "according to a feature of the

invention, the status information which is updated on the basis of the generated change

information (Claims 1, 8, 10 and 12) or which is changed in accordance with both the

transmitted information and the schedule information managed by the server device

(Claims 7, 9 and 11) represents a user's action.

       Applicant's argument has been considered but is moot in view of the new ground

of rejection.

3.   The dependent and non-amended claims stand rejected as articulated in the First

Office Action and all objections not addressed in Applicant's response are herein

reiterated. Applicant is advised that only the significant amendments are herein

addressed.

Claim Rejections - 35 USC § 103

       The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   Claim 1 is rejected under 35 U.S.C. §103(a) as being unpatentable over Gilhuly

et al. (U.S. 6,701,378) in view of Wick (US 6,691,162) and in further view of Multer et al.

(US 6,671,757.)

Gilhuly substantially teaches the invention as claimed including a method and

system for pushing information from a host system to a mobile data communication

device upon sensing a triggering event. (See abstract.)

Claim 1:

As per claim 1, Gilhuly substantially teaches a status information sharing system for

managing status information of users who operate user terminal devices, comprising:

       a recognition unit that recognizes a presence or absence of a user at one of the

user terminal devices; (See col. 6, lines 6-7; col. 10, lines 35-48.)

       a search unit that searches schedule information of the registered users; and

(See col. 5, lines 56-57; line 49 – calendar event is schedule information.) a generation

unit that generates updated status information in accordance with both the recognition

of a presence or absence of the users and the searched schedule information; and (See

col. 5, lines 44-60, col. 6, lines 6-7, and col. 10, lines 35-48.)

       Gilhuly teaches sensing that the user is no longer in the vicinity of the host

system at col. 6, lines 6-7 as indicated above. This is interpreted as recognition of a _

presence or absence of a user. Moreover, in order to emphasize that this is known in

the art, applicant is referred to Wick col. 2, line 63-col. 3, line 21.

       Gilhuly does not specifically address a generation unit that generates change

information of status information of the user's action, in accordance with both the

recognition of the presence or absence of the user and the searched schedule information; and

an update unit that updates present status information of the user's action on the basis of the generated change information.

However, Multer et al. expressly teaches updating users based on the generated updated status information. See col. 6, lines 26-46 (particularly lines 26-30); col. 8, lines 25-35; col. 9, lines 39-60.

Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the method of pushing taught by Gilhuly with transmitting the changed information disclosed by Mutler because such system would promote an optimal schedule updating a user's schedule instantaneously by transmitting only the changed information thereby allowing the system to operate at optimum speed which would enhance QoS.

6.   Claims 2-4, and 6-14 are rejected under 35 U.S.C. §103(a) as being unpatentable over Gilhuly et al. (U.S. 6,701,378) in view of Wick (US 6,691,162) in further view of Multer et al. (US 6,671,757) and in further view of O'Brien (US 6,587,831).

Claim 2:

As per claim 2, Gilhuly substantially teaches a system according to claim 1 as discussed above, wherein said search unit searches the schedule information of the users for the last and present schedule information.

Gilhuly does not specifically address search based on past and present

schedule. However, O'Brien expressly discloses such limitation as shown in Fig 2A and teaches such limitations throughout. See col. 6, lines 24-30.

Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the method of pushing taught by Gilhuly with searching last and present schedule disclosed by O'Brien because such system would promote optimal schedule.

Claim 3:

As per claim 3, Gilhuly substantially teaches a system according to claim 1 as discussed above, wherein said search unit searches the schedule information for next schedules.

Gilhuly does not specifically address search for next schedule. However, O'Brien expressly discloses such limitation as shown in Fig 2A and 2B and teaches such limitations throughout. See col. 6, lines 30-40 and col. 7, lines 11-16.

Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the method of pushing taught by Gilhuly with searching last and present schedule disclosed by O'Brien because such system would promote optimal schedule.

Claim 4:

As per claim 4 Gilhuly substantially teaches a system according to claim 1 as disused above, wherein said search unit searches the schedule information for past schedules.

Gilhuly does not specifically address search for past schedule. However, O'Brien

expressly discloses such limitation at col. 7, lines 11-16.

Hence, it would have been obvious at the time of the invention for an artisan of

ordinary skill in the art to combine the method of pushing taught by Gilhuly with

searching last and present schedule disclosed by O'Brien because such system would

provide historical evidence of past schedule.

Claim 6:

As per claim 6, Gilhuly substantially teaches a system according to claim 1 as

discussed above, further comprising:

a count unit that counts the duration of a predetermined status if the presence or

absence of the user is said predetermined status, (See col. 6, line 11 –programmable

timer can be used for that purpose.)

wherein said generation unit generates the updated status information based on

the duration counted by said count unit. (See col. 5, lines 44-60.)

Claim 7:

As per claim 7 Gilhuly substantially teaches a user terminal device that is

capable of communicating with a server device managing schedules of registered users

who operate the user terminal devices, comprising:

a connection unit that connects to at least a manipulation input device or an

imaging device; (See col. 4, lines 61-67.)

an input unit that inputs information from the connected manipulation input device

or imaging device; (See col. 10, lines 35-48.)

a generation unit that generates information representing a presence or

absence of a user at the user terminal device based on the input information; (See col. 5, lines 44-60, col. 6, lines 6-7, and col. 10, lines 35-48.)

a transmission unit that transmits the generated information representing the presence or absence of the user at the user terminal device to the server device; and (See col. 5, lines 55-60; See also col. 4, lines 22-29.)

a receiving unit that receives present status information of the user's action which is changed in accordance with both the transmitted information and the schedule information managed by the server. (See col. 5, lines 44-47; line 49 – calendar event is schedule information.)

Gilhuly teaches sensing that the user is no longer in the vicinity of the host system at col. 6, lines 6-7 as indicated above. This is interpreted as recognition of a presence or absence of a user. Moreover, in order to emphasize that this is known in the art, applicant is referred to Wick col. 2, line 63-col. 3, line 21.

Gilhuly does not specifically address updating users based on the generated updated status information. However, O'Brien expressly teaches updating users based on the generated updated status information at col. 9, lines 22-26 and col. 2, lines 26-33.

Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the method of pushing taught by Gilhuly with updating users based on the generated updated status information disclosed by O'Brien because such system would promote optimal schedule.

Claim 8:

As per claim 8 Gilhuly substantially teaches a server device that is capable of

communicating with user terminal devices, comprising:

a recognition unit that recognizes a presence or absence of a user at one of the

user terminal devices; (See col. 6, lines 6-7; col. 10, lines 35-48.)

a search unit that searches schedule information of registered users; (See col. 5,

lines 56-57; line 49 – calendar event is schedule information.)

a generation unit that generates change information of status information of the

user's action in accordance with both the presence or absence of the user and the

searched schedule information; and (See col. 5, lines 44-60, col. 6, lines 6-7, and col.

10, lines 35-48.)

an update unit that updates the status information of the user's action on the

basis of the generated change information.

Gilhuly teaches sensing that the user is no longer in the vicinity of the host

system at col. 6, lines 6-7 as indicated above. This is interpreted as recognition of a

presence or absence of a user. However, in order to emphasize that this is known in the

art, applicant is referred to Wick col. 2, line 63-col. 3, line 21.

Gilhuly does not specifically address updating users based on the generated

updated status information. However, O'Brien expressly teaches updating users based on

the generated updated status information at col. 9, lines 22-26 and col. 2, lines 26-33.

Hence, it would have been obvious at the time of the invention for an artisan of

ordinary skill in the art to combine the method of pushing taught by Gilhuly with updating

users based on the generated updated status information disclosed by O'Brien because

such system would promote optimal schedule.

Claim 9:

As to claim 9 (Currently Amended), it recites a control method for controlling a

user terminal device[[s]] that is capable of communicating with a server device for

managing

schedules of users who operate user terminal devices, comprising:

a connection step of connecting to at least a manipulation input device or an

imaging device; (See col. 4, lines 61-67.)

an input step of inputting information from the connected manipulation unit

or the imaging device; (See col. 10, lines 35-48.)

a generation step of generating information representing a presence or absence of a

user at the user terminal device based on the input information; (See col. 5, lines 44-60,

col. 6, lines 6-7, and col. 10, lines 35-48.)

a transmission step of transmitting the generated information representing

the presence or absence of the user at the user terminal device to the server device;

and (See col. 5, lines 55-60; See also col. 4, lines 22-29.)

a receiving step of receiving present status information of the user[[s]] which is updated

in accordance with both the transmitted information and schedule information managed

by the server. (See col. 5, lines 44-47; line 49 – calendar event is schedule

information.)

Gilhuly teaches sensing that the user is no longer in the vicinity of the host

system at col. 6, lines 6-7 as indicated above. This is interpreted as recognition of a

presence or absence of a user. However, in order to emphasize that this is known in the

art, applicant is referred to Wick col. 2, line 63-col. 3, line 21.

Gilhuly does not specifically address updating users based on the generated

updated status information. However, O'Brien expressly teaches updating users based on

the generated updated status information at col. 9, lines 22-26 and col. 2, lines 26-33.

Hence, it would have been obvious at the time of the invention for an artisan of

ordinary skill in the art to combine the method of pushing taught by Gilhuly with updating

users based on the generated updated status information disclosed by O'Brien because

such system would promote optimal schedule.

Claim 10:

As to claim 10 (Currently Amended), it recites a control method for controlling a

server device that is capable of communicating with user terminal devices, comprising:

a recognition step of recognizing a presence or absence of users at the user

terminal devices; (See col. 6, lines 6-7; col. 10, lines 35-48.)

a search step of searching [[a]] schedule information of registered users; (See

col. 5, lines 56-57; line 49 – calendar event is schedule information.)

a generation step of generating updated status information in accordance with

both the presence or absence of the users and the searched schedule information;

and (See col. 5, lines 44-60, col. 6, lines 6-7, and col. 10, lines 35-48.)

an update step of automatically updating present status information of the

users based on the generated updated status information.

Gilhuly teaches sensing that the user is no longer in the vicinity of the host

system at col. 6, lines 6-7 as indicated above. This is interpreted as recognition of a

presence or absence of a user. However, in order to emphasize that this is known in the

art, applicant is referred to Wick col. 2, line 63-col. 3, line 21.

Gilhuly does not specifically address updating users based on the generated

updated status information. However, O'Brien expressly teaches updating users based on

the generated updated status information at col. 9, lines 22-26 and col. 2, lines 26-33.

Hence, it would have been obvious at the time of the invention for an artisan of

ordinary skill in the art to combine the method of pushing taught by Gilhuly with updating

users based on the generated updated status information disclosed by O'Brien because

such system would promote optimal schedule.

Claim 11:

As to claim 11 (Currently Amended), it recites a storage medium storing a

program for controlling a user terminal device[[s]] that is capable of communicating with

a server device managing schedules of users who operate the user terminal devices,

the program comprising:

a connection step of connecting to at least a manipulation input device or an

imaging device; (See col. 4, lines 61-67.)

an input step of inputting information from the connected manipulation unit

or imaging device; See col. 10, lines 35-48.)

a generation step of generating information representing a presence or

absence of a user at the user terminal device based on the input information; <u>See col. 5,</u>

<u>lines 44-60, col. 6, lines 6-7, and col. 10, lines 35-48.</u>)

a transmission step of transmitting the generated information representing

the presence or absence of the user at the user terminal device to the server device; and

(<u>See col. 5, lines 55-60; See also col. 4, lines 22-29.</u>)

a receiving step for receiving present status information of the user[[s]] which is updated

in accordance with both the transmitted information and the schedule information

managed by the server. (<u>See col. 5, lines 44-47; line 49</u> – calendar event is schedule

information.)

Gilhuly teaches sensing that the user is no longer in the vicinity of the host

system at col. 6, lines 6-7 as indicated above. This is interpreted as recognition of a

presence or absence of a user. However, in order to emphasize that this is known in the

art, applicant is referred to Wick col. 2, line 63-col. 3, line 21.

Gilhuly does not specifically address updating users based on the generated

updated status information. However, O'Brien expressly teaches updating users based on

the generated updated status information at col. 9, lines 22-26 and col. 2, lines 26-33.

Hence, it would have been obvious at the time of the invention for an artisan of

ordinary skill in the art to combine the method of pushing taught by Gilhuly with updating

users based on the generated updated status information disclosed by O'Brien because

such system would promote optimal schedule.

Claim 12:

As to claim 12 (Currently Amended), it recites a storage medium storing a

program for controlling a server device that is capable of communicating with user

terminal devices, the program comprising:

a recognition step of recognizing a presence or absence of the users at the user

terminal devices; (See col. 6, lines 6-7; col. 10, lines 35-48.)

a search step of searching schedule information of registered users; (See col. 5,

lines 56-57; line 49 – calendar event is schedule information.)

a generation step of generating updated status information in accordance with both the

presence or absence of the users and the searched schedule information; and (See col.

5, lines 44-60, col. 6, lines 6-7, and col. 10, lines 35-48.)

an update step of automatically updating the present status information of

the users based on the generated updated status information.

Gilhuly teaches sensing that the user is no longer in the vicinity of the host

system at col. 6, lines 6-7 as indicated above. This is interpreted as recognition of a

presence or absence of a user. However, in order to emphasize that this is known in the

art, applicant is referred to Wick col. 2, line 63-col. 3, line 21.

Gilhuly does not specifically address updating users based on the generated

updated status information. However, O'Brien expressly teaches updating users based on

the generated updated status information at col. 9, lines 22-26 and col. 2, lines 26-33.

Hence, it would have been obvious at the time of the invention for an artisan of

ordinary skill in the art to combine the method of pushing taught by Gilhuly with updating

users based on the generated updated status information disclosed by O'Brien because such system would promote optimal schedule.

Claim 13:

As to claim 13(New) it recites a system according to claim 1, further comprising: a transmission unit that transmits the updated present status information of the users to the user terminal devices. (See col. 5, lines 57-60.)

Gilhuly does not specifically address updating users based on the generated updated status information. However, O'Brien expressly teaches updating users based on the generated updated status information at col. 9, lines 22-26 and col. 2, lines 26-33.

Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the method of pushing taught by Gilhuly with updating users based on the generated updated status information disclosed by O'Brien because such system would promote optimal schedule.

Claim 14:

As to claim 14 a system according to claim 1, wherein said recognition unit recognizes the presence or absence of the users based on a status of input from an input device connected to the user terminal devices or an image taken by an image device connected to the user terminal. (See col. 6, lines 6-7; col. 10, lines 35-48.)

Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the method of pushing taught by Gilhuly.

CONCLUSION

6.   **THIS ACTION IS MADE FINAL.**

Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL.** See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

7.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Emmanuel Coffy whose telephone number is (571) 272-

3997. The examiner can normally be reached on 8:30 - 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ario Etienne can be reached on (571) 272-4001. The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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Should you have questions on access to the Private PAIR system, contact the

Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Emmanuel Coffy
Patent Examiner
Art Unit 2157

***EC
November 2, 2005

ARIC ETIENNE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100